IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

LA.App..No. 420 of 2002(D)

LAR.62/1998 of ADDL.SUB COURT, N.PARAVUR
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APPELLANT: RESPONDENT

STATE OF KERALA.

BY GOVT.PLEADER SRI.K.V.MANOJKUMAR.

RESPONDENTS: ADDL. RESPONDEDNT NO.2
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1. ELDOSE, S/O. CHAKKAPPAN,
MARANGADANPUTHUSSERY, AVANAMCODE KARA,
NEDUMBASSERRY VILLAGE.

2. COCHIN INTERNATIONAL AIRPORT SOCIETY
REP. BY ITS MANAGER DIRECTOR.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23/10/2007, ALONG WITH LAA 936/03 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.Nos.420/2002, 936,
1365/2003, 2 & 728/2004 &
C.O.Nos.37/2005 & 5/2007

Dated this the 23rd day of October, 2007

JUDGMENT

Kurian Joseph,J.

These appeals pertain to the acquisition for Kochi International Airport. In view of the judgment of this court in L.A.A.No.366/2003 we set aside the judgment and decree in all these cases and remit the references to the reference court to be disposed of in the light of the directions issued in L.A.A.No.366/2003.

In view of the remand as above, the appellants shall be entitled to refund of the court fee paid.

The Cross Objections are only for interest on solatium. That is covered in favour of the claimants by the decision of the Supreme Court in Sunder v. Union of India, 2001 (3) KLT 489. The Cross Objections are therefore, allowed.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.Nos.420/2002, 936,
1365/2003, 2 & 728/2004 &
C.O.Nos.37/2005 & 5/2007

JUDGMENT

23rd October, 2007